

TOWN OF LLOYD TOWN BOARD

SPECIAL MEETING

FEBRUARY 22, 2012

Present: Supervisor Paul Hansut
Councilmember Kevin Brennie
Councilmember Michael Guerriero
Councilmember Herbert Litts, III
Councilmember Jeffrey Paladino

Also present: Kate Jonietz, Secretary

5:00 PM – Supervisor opened the meeting and led the Pledge of Allegiance

1. Old Business

Paladino asked if there was anything new on the Tillson Avenue Project.

Litts stated that the Town Board must get the cost estimate for the Roundabout with alternates and the four way intersection with alternates. The Town Board would then choose which proposal they would accept. The ROW's were not shown on the plans for the properties to the south so they will need to be revised.

Paladino asked what the deadline date was.

Litts replied that there must be a contract prior to 2013.

2. New Business

A. Invoice from Barton & Loguidice dated January 2011 in the amount of \$50,782.53
Litts questioned if the unpaid invoice from March 2011 from Barton & Loguidice, P.C. could be paid out of Supplemental Agreement money.

Supervisor stated that he had discussed this with Glen Gidaly of Barton and Loguidice and it should be on hold until the Town receives the money. He will contact Barton and Loguidice and request that they resubmit the invoice.

3. Resolutions

A. RESOLUTION made by Paladino, seconded by Litts,

WHEREAS, a Project for **Hudson Valley Rail Trail from Haviland Road to Commercial Avenue in the Town of Lloyd, Ulster County, PIN 8759.14** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Resolution No. C adopted by the Town of Lloyd on October 16, 2006; subsequent Resolution adopted by the Town of Lloyd on September 12, 2007; and subsequent Resolution adopted by the Town of Lloyd on July 16, 2009 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work.

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering work not contemplated in the original agreement authorized by the previous Resolutions; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional preliminary engineering work for the project; and

NOW, THEREFORE, the Lloyd Town Board, duly convened does hereby

02.22.2012

RESOLVE, that the Lloyd Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Lloyd Town Board hereby authorizes the Town of Lloyd to pay in the first instance 100% of the federal and non-federal share of the cost of the additional preliminary engineering work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$70,000 (\$383,000 minus previous \$313,000) is hereby appropriated from the Reserve Fund Balance and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Lloyd Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Supervisor thereof, and it is further

RESOLVED, that the Supervisor of the Town of Lloyd be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of Lloyd with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Supervisor, the Deputy Supervisor is also hereby authorized to execute any necessary documents or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Roll call: Hansut, aye; Brennie, aye, Litts, aye; Paladino, aye; Guerriero, aye.

Five ayes carried.

B. **RESOLUTION** made by Brennie, seconded by Litts, to accept permits for the Use of State Owned Property Number 82338 and 82339 for the kiosk on Route 9W adjacent to the Hudson Valley Rail Trail and for the pedestrian bridge over Route 44-55 respectively and to authorize the Supervisor to execute said permits.

Roll call: Hansut, aye; Brennie, aye, Litts, aye; Paladino, aye; Guerriero, aye.

Five ayes carried.

MOTION made by Litts, seconded by Brennie, to adjourn the meeting at 5:18PM.

Five ayes carried.